

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL**No. 168** Session of
2021

INTRODUCED BY HUGHES, MENSCH, STREET, FONTANA, KEARNEY,
SANTARSIERO, SCHWANK, BROWNE, STEFANO, AUMENT AND COMITTA,
FEBRUARY 5, 2021

SENATOR BARTOLOTTA, LABOR AND INDUSTRY, AS AMENDED,
FEBRUARY 23, 2021

AN ACT

1 Amending the act of December 18, 2001 (P.L.949, No.114),
2 entitled "An act establishing a unified workforce investment
3 system; restructuring certain administrative functions,
4 procedures and entities; transferring workforce development
5 functions of Commonwealth agencies; establishing the
6 Pennsylvania Workforce Investment Board; providing for
7 critical job training grants, for guarantees for program
8 quality and performance for workforce development programs,
9 for workforce leadership grants and for industry
10 partnerships; establishing the Keystone Works Program; and
11 authorizing local workforce investment boards," in industry
12 partnerships, further providing for definitions, for industry
13 clusters, for interdepartmental cooperation and for industry
14 and labor market research and providing for dissemination of
15 industry and labor market research to educational
16 institutions.

17 The General Assembly of the Commonwealth of Pennsylvania
18 hereby enacts as follows:

19 Section 1. The definitions of "high-priority occupations"
20 and "targeted industry cluster" in section 1301 of the act of
21 December 18, 2001 (P.L.949, No.114), known as the Workforce
22 Development Act, are amended and the section is amended by
23 adding definitions to read:

24 Section 1301. Definitions.

1 The following words and phrases when used in this chapter
2 shall have the meanings given to them in this section unless the
3 context clearly indicates otherwise:

4 * * *

5 "Educational institution." Each school district, charter
6 school, cyber charter school, career and technical center and
7 public institution of higher education in this Commonwealth.

8 "Forward-facing employment data." Data on current and
9 projected employment opportunities within this Commonwealth,
10 including factors such as geographical location or required
11 training and experience for such opportunities.

12 "High-priority occupations." Occupations which have or are
13 projected to have a significant presence in a targeted industry
14 cluster, are in demand by employers and pay or lead to payment
15 of a family-sustaining wage.

16 * * *

17 "Public institution of higher education." Any of the
18 following:

19 (1) A community college which is an institution created
20 under Article XIX-A of the act of March 10, 1949 (P.L.30,
21 No.14), known as the Public School Code of 1949, or the act
22 of August 24, 1963 (P.L.1132, No.484), known as the Community
23 College Act of 1963.

24 (2) A State-owned institution which is part of the State
25 System of Higher Education pursuant to Article XX-A of the
26 Public School Code of 1949.

27 (3) A State-related institution which includes The
28 Pennsylvania State University, including the Pennsylvania
29 College of Technology, the University of Pittsburgh, Temple
30 University and Lincoln University.

1 (4) Thaddeus Stevens College of Technology.

2 (5) A rural regional college, as defined under section
3 1903-G of the Public School Code of 1949.

4 * * *

5 "Targeted industry cluster." An industry cluster identified
6 by the department as having or being projected to have a
7 Statewide economic impact, immediate workforce development needs
8 [and] or emerging or competitive career opportunities.

9 Section 2. Sections 1302, 1307(c) and 1308 of the act are
10 amended to read:

11 Section 1302. Industry clusters.

12 (a) Identification of industry clusters.--The department
13 shall work with businesses, industry associations, career and
14 technical associations and organizations, participating
15 agencies, State and local workforce investment boards and
16 economic development entities to identify industry clusters
17 based on the following:

18 (1) Statistics showing the competitiveness of a
19 potential industry cluster.

20 (2) Importance of an industry cluster to the current or
21 future economic development of this Commonwealth.

22 (3) Identification of other employers that supply
23 materials, technology and services to the industry.

24 (4) Research studies on industry clusters.

25 (4.1) Forward-facing employment data compiled by the
26 department.

27 (5) Any other criteria deemed relevant by the
28 department.

29 (b) Identification of targeted industry clusters.--The
30 department shall work with State and regional workforce and

1 economic development agencies, with input from regional business
2 and labor leaders, to identify which industry clusters shall be
3 targeted for workforce and economic development investments
4 based on:

5 (1) Importance of the cluster to the economy of this
6 Commonwealth and the region.

7 (2) [Workforce] Current and projected workforce
8 development needs.

9 (3) Economic growth potential.

10 (4) Competitiveness.

11 (5) Employment base.

12 (6) Wages, benefits and career opportunities.

13 (7) Forward-facing employment data compiled by the
14 department.

15 (c) Ongoing evaluation.--The department shall [periodically]
16 annually evaluate the targeted industry clusters and the
17 forward-facing employment data compiled by the department to
18 determine the need for any changes to the targeted industry
19 clusters or the need for addition of new industry clusters.

20 (d) Publication of information.--The department shall issue
21 by July 1 of each year, on its Internet website, information and
22 statistics on the targeted industry clusters, including labor
23 market information highlighting the clusters. The information
24 shall include an occupational analysis depicting the employment
25 [and], wages, geographic location and required training or
26 experience within the targeted industry cluster and the forward-
27 facing employment data compiled by the department.

28 (e) List of occupations.--The department shall annually
29 issue a list of Statewide and regional high-priority occupations
30 which will guide workforce and educational investments by the

1 department and participating agencies.

2 Section 1307. Interdepartmental cooperation.

3 * * *

4 (c) Agencies.--The following agencies shall work with the
5 department as set forth below:

6 (1) The Department of Agriculture shall:

7 (i) Advise the department on the agriculture
8 industry and agriculture education economic development
9 strategies, programs and initiatives.

10 (ii) Facilitate agricultural industry clusters, to
11 include production agriculture, at the State and local
12 levels to ensure accurate representation of all sectors
13 and inclusion of those fields typically categorized as
14 self-employment.

15 (iii) Advise the department on career pathways
16 available in the rural communities of this Commonwealth
17 and nontraditional career pathways available to urban and
18 disadvantaged students and citizens.

19 (iii.1) Work in collaboration with the department to
20 use forward-facing employment data to project and
21 identify future and emerging employment opportunities in
22 the agriculture industry.

23 (iv) Work in collaboration with the department and
24 the Department of Education to identify emerging career
25 opportunities, including support in establishing career
26 ladders and career pathways.

27 (v) Support initiatives to develop industry-
28 recognized credentials and new credit-bearing programs in
29 this Commonwealth's public and private postsecondary
30 institutions, especially in critical occupations.

1 (2) The Department of Community and Economic Development
2 shall:

3 (i) Advise the department of its workforce and
4 economic development strategies, programs and
5 initiatives.

6 (ii) Align existing training programs with industry
7 partnerships.

8 (iii) Make relevant business assistance programs
9 available to industry partnerships.

10 (iv) Coordinate with the department on areas of
11 business retention.

12 (v) Advise the department of its industry
13 competitiveness programs and cluster strategies.

14 (vi) Work in collaboration with the department to
15 use forward-facing employment data to project and
16 identify future and emerging employment opportunities to
17 create workforce and economic development strategies.

18 (3) The Department of Corrections shall:

19 (i) Align training for inmates with industry
20 clusters and high-priority occupations and annually
21 review these training programs to assure that the
22 training programs prepare individuals for high-priority
23 occupations.

24 (ii) Align reentry programs to take advantage of
25 information and career opportunities provided by industry
26 partnerships.

27 (iii) Work in collaboration with the department to
28 use forward-facing employment data to project and
29 identify future and emerging employment opportunities for
30 purposes of aligning reentry programs with current and

1 emerging industry clusters and high-priority occupations.

2 (4) The Department of Education shall:

3 (i) Work with the department to support career
4 pathways.

5 (ii) Support innovative programs to address
6 literacy, including English as a second language, and
7 numeracy shortcomings, especially in those occupations
8 which are critical to targeted industry clusters and
9 which lead to postsecondary education and employment.

10 (iii) Collaborate with the department to develop
11 programs and strategies to reduce barriers to adult
12 education.

13 (iv) Coordinate career education initiatives in
14 middle and high schools, especially in Project 720
15 schools and career and technical education programs.

16 (v) Support initiatives to develop industry-
17 recognized credentials and new credit-bearing programs in
18 this Commonwealth's public and private postsecondary
19 institutions, especially in occupations critical to
20 targeted industry clusters.

21 (vi) Work in collaboration with the department to
22 determine education and skill gaps associated with
23 targeted industry clusters.

24 (vi.1) Work in collaboration with the department to
25 use forward-facing employment data to project and
26 identify future and emerging employment opportunities.

27 (vii) Advise and assist high-school-based career and
28 technical education programs to develop high-priority
29 occupation programs.

30 (viii) Within two years following the effective date

1 of this act, regulations may be promulgated by the
2 Department of Education in consultation with career and
3 technical school administrators. The regulations shall
4 conform to career and technical schools' needs and assist
5 to align their needs with employer demands. Incentives
6 shall be included to increase alignment. Until this
7 program and regulations are in effect, secondary career
8 and technical schools and programs shall not be required
9 to meet the requirements for high-priority occupations
10 for program approval.

11 (5) The Department of Public Welfare shall:

12 (i) Create and maintain innovative programs which
13 connect qualified TANF clients with employment
14 opportunities in the targeted industry clusters.

15 (ii) Support strategies to prepare TANF clients for
16 success in postsecondary education and training programs.

17 (iii) Develop career education initiatives which
18 provide TANF clients with information to guide their
19 education and training plans.

20 (iv) Collect and share employment information with
21 the department.

22 Section 1308. Industry and labor market research.

23 The department shall provide the necessary industry and labor
24 market research to support and further develop the work of
25 industry partnerships, including:

26 (1) Providing current data on all targeted industry
27 clusters.

28 (2) Providing the most current available analysis of
29 industry employment in this Commonwealth for the purpose of
30 determining trends in this Commonwealth which may lead to

1 changes in the targeted industry clusters.

2 (2.1) Compiling and providing forward-facing employment
3 data on projected employment opportunities in this
4 Commonwealth, including future and emerging industry clusters
5 and high-priority occupations.

6 (3) Maintaining and updating the annual list of this
7 Commonwealth's high-priority occupations.

8 (4) Providing the most currently available analysis of
9 high-priority occupations for the purpose of determining
10 trends which may lead to adjustments to the list.

11 Section 3. The act is amended by adding a section to read:

12 Section 1308.1. Dissemination of industry and labor market
13 research to educational institutions.

14 (a) Dissemination of information.--By July 1, 2021, and each
15 July 1 thereafter, the department, in coordination with the
16 Department of Education, shall provide the information under
17 sections 1302(d) and (e) and 1308 to educational institutions.

18 (b) Additional information.--In addition to the information
19 provided under subsection (a), beginning July 1, 2021, on a
20 quarterly REGULAR basis the department shall provide to each <--
21 educational institution specific labor market information and
22 forward-facing employment data for the labor market in which the
23 educational institution is located.

24 (c) Analysis.--The following shall apply:

25 (1) When the department and the Department of Education
26 jointly determine that labor market information or forward-
27 facing employment data prepared by the department requires an
28 explanatory analysis for the information or data to be
29 utilized to its fullest potential, the department, in
30 collaboration with the Department of Education, shall provide

1 an analysis of the information or data, written in clear,
2 concise and easily understandable language.

3 (2) The analysis under paragraph (1) shall consider, but
4 not be limited to a consideration of, the following:

5 (i) instructions for the proper use of the
6 information or data by individuals involved in the
7 planning and development of career education;

8 (ii) the proper use of the information or data by
9 individuals involved in ~~vocational~~ CAREER AND TECHNICAL <--
10 and educational guidance; and

11 (iii) the proper use of the information or data by
12 current and prospective career education pupils in the
13 selection of career education programs likely to offer
14 the greatest potential for employment upon graduation.

15 (d) Dissemination of data.--Each educational institution
16 that receives labor market information and forward-facing
17 employment data under subsections (b) and (c) shall provide
18 copies of the information and data to the individuals
19 responsible for ~~vocational~~ CAREER AND TECHNICAL and educational <--
20 guidance at an educational institution for use in planning and
21 developing career education programs and providing ~~vocational~~ <--
22 CAREER AND TECHNICAL and education guidance to career education <--
23 pupils.

24 Section 4. This act shall take effect in 60 days.